

subcommittee who have done the lion's share of this matter before you now. This brings us up to this situation as of 10:10 tonight.

It was thought at this stage that perhaps I would give a broad brush treatment, a wide angle view of what we are approaching and then seek the assistance and turn it over to Delegate Hardwicke who has lived with this and is on top of all the matters, and he in turn will, if necessary, call on the chairman of the individual substantive committees should any sticky questions develop.

GP-13 consists of two main parts. One is a schedule of transitional provisions. The other is schedule of legislation. There is a difference between these two.

The schedule of transitional provisions is of constitutional force and cannot be amended or repealed except by constitutional process and fiat. It can only be altered through constitutional amendment. Because of this it was thought that it would be more orderly not to include these transitional provisions in the body of the constitution itself, but to separate them from the constitution which in itself would have permanent effect but as the transitional period provisions fade out, they would die of their own weight and natural causes.

The schedule of legislation, however, is of a different animal, and is of limited duration in time. These contain provisions to be enacted by this Convention and intended to be of legislative force, and can be in time repealed, amended, or handled in any other way by the General Assembly.

The schedule of legislation consists of two main bodies. One category are those provisions included in the prior constitution and not fully implemented by legislation, which this constitution has determined not to include in the constitution because they are matters which should be properly dealt with by the General Assembly. The second category are items of legislation necessary to implement the provisions of this, your new constitution, the enactment of which could not await General Assembly action.

In preparing both the schedule of transitional provisions and schedule of legislation, an analysis was made of both provisions of the new constitution and provisions of the old Constitution as sent to us early in these convention days by President's Memo No. 13. This is a very rough, wide angle approach to the provisions of GP-13. I would then ask Delegate Hard-

wicke to give you the details of it and answer any questions that might come forth.

(At this point, Second Vice-President William James assumed the Chair.)

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: Ladies and gentlemen of the Convention, I think that in going through GP-13 you should have the blue copy on one hand and the memorandum on the other. I suggest that assuming the Chair approves that we go through it section by section.

Section 1, which is a definition of the term prior constitution, which will be used to refer to the Constitution of 1867 as amended.

Section 2 is broken into two parts as to incumbents. The first two sentences refer to constitutional officers. The last sentence refers to nonconstitutional public officers.

DELEGATE JAMES (presiding): Delegate Hardwicke, would you explain what you are hitting first?

DELEGATE HARDWICKE: We are doing the transitional provisions. These transitional provisions, as Delegate Boyer just stated, all have constitutional weight. In other words, this is part of the constitution and I noticed a great many of you referred to it as transitory. They are transitory and transitional, transitory in the sense they are not permanent. All these transitional provisions when you get into personal rights and so forth have expiration dates attached to them. So in the transitional provisions these are parts of the constitution. Be careful to distinguish those from the legislative provisions which are just statute law. In other words, this Convention is passing statute law and the statute law begins on page 15, called schedule of legislation.

This statute law, as Delegate Boyer stated, will be effective July 1, 1968, but on July 2, 1968, the General Assembly of Maryland can meet and cancel every bit of it. It is subject to the legislature. So it has no lasting effect whatsoever. The transitional provisions, however, are aimed at taking over the old Constitution with the new constitution gradually in a period of three or four years terminating in most instances no later than January 6, 1971. The first thing is going through the transitional provisions which are part of the constitution of constitutional weight not subject to change by the General Assembly.